

United States District Court  
Southern District of Ohio  
Western Division at \_\_\_\_\_

FILED  
JAN 10 2006

United States of America :  
Plaintiff :

CASE NO. 2006-14100-RH-10091

Judge W. Rice [C.J.]

vs.

Defendants Omnibus Motion

JOVANNI F. Mangotti  
(AKA JOHN DUNCAN)  
Defendant, pro-se

for Request for Order of Transfer  
and Conference with Courts.

In Camera, Under seal Requested

Now comes defendant by and through pro se who respectfully moves this Court for an Order directing the US Marshall service to move the defendant from the Miami County Ohio Area, and place the defendant in a suitable facility both close to the defendants attorney and home.

Furthermore, the Defendant moves this Court to set a conference date at the closest available calendar date convenient to both the Court, the Defendants attorney, and the A.U.S.A. Mr. Ulrich Thapar

with the brief and memorandum in support attached hereto this motion should further state Naught.

Respectfully,

John F. Mangotti  
JOVANNI F. MANGOTTI  
AKA JOHN F. DUNCAN  
201. W. MAIN ST.  
TROY OHIO 45373

Bribe and Memo in support

Defendant asserts that the US Marshall service had moved the defendant from Montgomery County Jail to The Miami County incarceration Facility in July of 2005; while the US Marshall service contended that they owed the defendant no explanation as to the reasoning of this move, it not only caused undue, unwarranted, and further hardship on the defendant's family, but access to his attorney etc. Upon admission to the Miami County incarceration Facility the admissions from the Marshal service had comments on the defendant such as "Doesn't like Law enforcement officers," Out of all the prisoners processed, including ones that had "Cap Killers" tattooed on their person, causing even more hardship for him while incarcerated there. Constantly being harassed and taunted by the staff due to the comments made by the Marshals, including refusing to allow the defendant ample access to his legal material, a request for transfer was put in to the Courts then and the defendant hasn't been made aware of the Ruling.

Early to Mid December a Corrections Officer had overheard a conversation between several prisoner regarding an escape attempt; this corrections officer had asked the defendant to provide confidential information regarding such; and after several inquiries the defendant reported to this corrections officers what had been said, and the person initiating the attempt, the defendant was assured that he would remain anonymous, and no trouble would come to him; Approximately 2 days later the defendant/prisoner was approached by another officer and was requested to fill out an affidavit/statement to the effect of the escape attempt; again being assured that he would remain confidential; The following Day, The Capt. of the Miami County incarceration Facility had informed the defendant that he had to be moved to a different cell block due to threats being made against his person; a few weeks after the defendant/prisoner's transfer to a separate cell block the defendant/prisoner was instructed to "Pack" his personal belongings because



he was being transferred to yet another facility, he was then transported by the Jail administrator [Capt. Cooper] from the Miami County Incarceration Facility, [MCIF] to the MCIF annexed facility known as "THE OLD JAIL," AND NO EXPLANATION WAS GIVEN, except that the Marshals had ordered the move. ONCE INMATE/PRISONER/DEFENDANT arrived he was informed by the Jail administrator [DEE SANDY] {KERSIN after JA SANDY} that the Capt. of MCIF had requested to be able to move me, via the US Marshal service, which contradicted Capt. Coopers original assessment of having no knowledge, except for a call from Bill Taylor US Marshal service.

To be transferred to "THE Old Jail" is strictly disciplinary only, upon making several phone inquiries the defendant was informed that he was to be restricted from his legal materials, and access to his own law books, the defendant has not heard from his attorney in months, only to solidify the hardship of travel, so he has absolutely no adequate access to legal materials or persons legally qualified to address issues, when the prisoner/defendant voiced his concerns and stated he would address his issues via a grievance and/or through the courts, he was then told that the Jail was to make every effort possible to perhaps seclude, segregate, isolate, or separate the defendant to the point to include no telephone privilege, visiting, or mail privilege, other than counsel; when defendant objected he was told he would be placed in the hole, and have no access to anyone or anything, all at the discretion of the Jail administrator, when the defendant asserted that this was not allowed, the staff had said they received instructions to the effect from the US Marshal service via Capt. Cooper.

The date of the Mailing of this Motion marks the 4<sup>th</sup> day of Defendant's incarceration in said facility known as "THE OLD JAIL," and has not been permitted to have any access to any of his legal materials, none of his personal letters/mail, and AGAIN has been

threatened to taken any actions.

Whether or not the U.S. Marshal Service has "Instructed" or "Ordered" any actions at all against the defendant, the defendant has had nothing but undue hardship from this Marshal Service, particularly, Mr. William Taylor, and has had nothing but hardships from them since June 2004, to with.

June 2004, Marshals were informed in chambers and on the telephone from defendant's Counsel that Transport back to Grant County Detention Ctr. (KY) would lead to assault on or against defendant possibly, and the Marshal transported him back even after the Court's Request to keep him in prison close to Hamilton County, Ohio, which his return had led to an aggressive assault against the defendant which resulted in broken nose, fractured wrist, back and leg sprains, corner abrasion, and inadvertently Transfer ordered by This Court.

June 2004 Defendant was transferred to Boone County Jail (KY) and had a Motion similar to this, to be sent to a separate lock facility because of no means or access to legal materials, and Defendant's Mail, both legal and personal "disappearing" without any explanation and some Mail being Refused from the County, officers of Boone County Supl. stipulated they were instructed to discard any Material addressed to "JOVANNI MANIOTTI", the defendant's real name, by the US Marshal Service. When the civil attorney filing suit against the Grant County Detention Ctr. had informed the administrators of Boone County Jail that he had Planned to file suit for injunctive relief, they then

ceased the actions; previously taken.

JUNE 2005 Defendant was transferred to Montgomery County to attend Court. During his exit from appearance, the defendant was attacked, and spit on by the co-defendants brother, and family friend Brett Kendra (A role at large). They began threatening the defendant and calling him a "switch" etc. The Marshal's asked them to leave, but said to them, and this is a Quote "AS FAR AS I'm concerned, you can beat his switching ass to death; but I can't let it happen in my building" When asked if he was able to press charges he was told "NO," When the defendant was able to finally reach the FBI to press charges he was told that they would have to first ask Mr. William Taylor.

JULY 2005 Prisoner/Defendant was transferred to MCI F, Problems as forementioned in previous motions as well as this motion were ignored and/or encouraged by William Taylor US Marshal Service.

JANUARY 2006 Prisoner/Defendants transfer yet again and aforementioned complications yet again either ignored, encourage, induced, or under the direction of Mr. William Taylor only. Solicitors the defendant/prisoner standing that the US Marshal service at Dayton Ohio, Under the direction of Mr. William Taylor are not only extremely ~~unprofessional~~, but have personally placed the defendant in danger with Malice, they have personal informed the person subject to the

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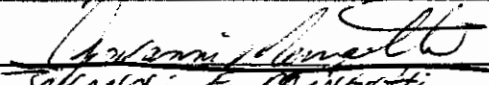


as forementioned attempt escape etc,  
that the defendant himself had informed on him;

The defendant has contacted the ACLU in N.Y. City, was instructed to file a complaint with the County, with the US Marshals in the Nations Capital, and with the Federal <sup>Bureau</sup> ~~Bureau~~ of Investigations Civil Liberties divisions, then this would follow-up, defendant moves that he feels that the US Marshal Service has become vindictive towards the defendant due to the incident in Garret County, and Mr. William Taylor has clearly shown himself to be above and immune from the law, and on policies for which he is employed under, if at all possible the defendant would like to be removed from this Particular US Marshal Service's Jurisdiction.

The defendant feels that the US Marshal Service will attempt to use retaliation for the filing of this Motion such as isolation for no apparent reason etc.

The defendant prays the Court for an Order directing the US Marshal Service to transfer the defendant to another facility outside the Jurisdiction of the U.S. Marshal Service {outside} of Montgomery County,

Respectfully Submitted,  
  
JOHANN F. DUNNE  
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